

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Carter Garfield	Team: Squad #10	CCRB Case #: 201910657	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 12/11/2019 6:55 PM	Location of Incident: 79 Leonard Street	Precinct: 01	18 Mo. SOL 6/11/2021	EO SOL 1/26/2022	
Date/Time CV Reported Wed, 12/11/2019 8:44 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Wed, 12/11/2019 8:44 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Miles Holman	31489	952856	001 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Miles Holman	Abuse: Police Officer Miles Holman failed to provide § 87(2)(b) with a business card.	
B.POM Miles Holman	Abuse: Police Officer Miles Holman refused to provide his shield number to Khadida § 87(2)(b)	
C.POM Miles Holman	Abuse: Police Officer Miles Holman refused to provide his name to § 87(2)(b)	
	§ 87(4-b), § 87(2)(g)	

Case Summary

On December 12, 2019 § 87(2)(b) called the CCRB to file the following complaint. On December 11, 2019 at approximately 6:55 p.m., in the vicinity of Leonard and Church Street in Manhattan, § 87(2)(b) who was working as a taxicab driver, was pulled over by Police Officer Miles Holman, of the 1st Precinct. PO Holman issued § 87(2)(b) a summons for double parking on 79 Leonard Avenue. When § 87(2)(b) asked for his name, shield number, and business card, PO Holman allegedly did not answer, stating that his name was on the summons (**Allegation A - Abuse of Authority – Refusal to provide RTKA card,** § 87(2)(g) (**Allegation B - Abuse of Authority – Refusal to provide shield number,** § 87(2)(g) (**Allegation C - Abuse of Authority – Refusal to provide name,** § 87(2)(g) After issuing § 87(2)(b) summons § 87(2)(b), PO Holman left in his vehicle. § 87(4-b) § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

There was no video footage of this incident.

Findings and Recommendations

Allegation A: Abuse of Authority: Police Officer Miles Holman failed to provide § 87(2)(b) with a business card.

Allegation B: Abuse of Authority: Police Officer Miles Holman refused to provide his shield number to § 87(2)(b)

Allegation C: Abuse of Authority: Police Officer Miles Holman refused to provide his name to § 87(2)(b)

In her in-person interview (**BR 01**), § 87(2)(b) stated that she dropped off a passenger on Leonard Street and was pulled over by PO Holman on Church Street directly afterward. When PO Holman approached her taxi, she asked why she was pulled over, and PO Holman responded to her in a rude tone that he was going to write her a summons. After receiving her summons, § 87(2)(b) asked for PO Holman's name, shield number, and business card, but he did not answer her directly, stating that his name was on the summons. § 87(2)(b)'s statement was consistent with her intake call (**BR 02**) and initial phone statement (**BR 03**).

According to PO Holman (**BR 04**) § 87(2)(b) held up traffic on Leonard Street for three traffic cycles (going from green to red) without moving. PO Holman attempted to get her attention with his siren after the second cycle but was unsuccessful. He then pulled § 87(2)(b) over on Church Street and asked her why she held up traffic, to which she responded she was dropping off a passenger. PO Holman told her that was no reason to hold up traffic and went back to his vehicle to write her a summons. When he returned to § 87(2)(b)'s taxi, she asked for his name and he told her it was on the summons. § 87(2)(b) did not ask for PO Holman's shield number or business card.

The investigation obtained § 87(2)(b)'s carbon copy of summons § 87(2)(b) (**BR 06**). On the summons, PO Holman's name was too faded to read, and his signature was not legible.

§ 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

It was undisputed that PO Holman did not verbally state his name to § 87(2)(b) upon her request, but instead said his name was on her summons. § 87(2)(g)

§ 87(2)(b)

Patrol Guide 203-09 states that an officer must clearly state, or otherwise provide, their name to anyone who requests them to do so (**BR 05**).

§ 87(2)(g)

§ 87(2)(b)

§ 87(2)(g) [REDACTED]
[REDACTED]
[REDACTED].

§ 87(4-b) § 87(2)(g) [REDACTED]
[REDACTED]
[REDACTED]

§ 87(4-b), § 87(2)(g) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Civilian and Officer CCRB Histories

This is § 87(2)(b) [REDACTED]'s first complaint filed with the CCRB. § 87(2)(b) [REDACTED]
[REDACTED] (BR 08).

PO Holman has been a member of service for seven years and this is his fourth complaint in which he is a subject (BR 09).

- Case number #201308239 involved three allegations, two of which were substantiated. The allegations were two counts of abuse of authority – retaliatory summons and search (of person). The NYPD disposition and disciplinary action was instruction. The force allegation was unsubstantiated.

Mediation, Civil and Criminal Histories

- § 87(2)(b) [REDACTED] declined to mediate.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)] [REDACTED]
- On January 31, 2020, a FOIL request was submitted to the Office of the Comptroller for any Notices of Claim pertaining to this incident. The results will be added to the file upon receipt.

Squad No.: 10

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date